



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,679	12/04/2003	Yoshihide Nakamura	03327.2317	5694

7590 02/10/2005

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

EXAMINER

PHILOGENE, HAISA

ART UNIT	PAPER NUMBER
----------	--------------

2828

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,679

Applicant(s)

NAKAMURA ET AL.

Examiner

Haissa Philogene

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☒ Claim(s) 17 and 21 is/are rejected.
- 7) ☒ Claim(s) 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received:
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/4/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

Figures 3 and 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: In page 14, line 13, delete "according to the invention recited in claim 19" and line 14, delete ", in the lamp driving method according to claim 1,". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2828

Claims 17 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki, JP 2001-239879, cited by Applicant.

Suzuki discloses a method for driving lamp LP comprising the steps of providing a plurality of sets of lamps HL, FL, TL, RRRL, BL, each set having at least a first lamp (20, 22, 24, 26, 28) and a second lamp (21, 23, 25, 27, 29); and applying voltage via controller 10 to a first lamp (say 20) and a second lamp (say 21) of each of the at least one of the sets of lamps (say HL) with a shift of a prescribed time (by PWM control) as controller 10 supplies drive unit ST (in this case transistors 30 and 31) with switching signals for switching ON the lamps (in this case 20 and 21) at different timings based on lighting indication from the lighting indication circuitry SW (see Figs. 1-3); wherein the lamp (as shown) is incandescent bulb having a filament.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 17 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Fushimi et al., Patent No. 6,566,816.

Fushimi discloses a method for driving lamp LP comprising the steps of providing a plurality of sets of lamps (21, 22), (23, 24), (25, 26), (27, 28), each set having at least a first lamp (21, 23, 25, 27) and a second lamp (22, 24, 26, 28); and applying voltage via controller 30 to a first lamp (say 21) and a second lamp (say 22) of each of the at least one of the sets of lamps (say 21, 22) with a shift of a prescribed time (by PWM control) as CPU 31 supplies the driving circuit (T1-T8) (in this case transistors T1 and

Art Unit: 2828

T2) with driving signals for switching ON/OFF the lamps (in this case T1 or T2) at different timings (shift control) based on the ON/OFF condition of each of the switches 12-16 (see Figs. 1, 2 and 15 and Col.6, line 52- Col.7, line 6 and Col.11, lines 42-49 and Col.14, lines 18-27); wherein the lamp (as shown) is incandescent bulb having a filament.

Allowable Subject Matter

Claims 1-16 are allowed.

Claims 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose "a controller generating a control signal for lighting ...and generating a switching signal; a lamp driver supplying power...in accordance with both of the control signal and the switching signal" (claim 1); "a controller generating a control signal for lighting ...and generating a switching signal, and outputting a lamp load control signal on the basis of the control signal and the switching signal; and a lamp driver supplying power...in accordance with the lamp load control signal" (claim 9); "the step of monitoring the shift of the voltage to be applied to the first lamp and the second lamp" (claim 18); "wherein the voltage is continuously applied to the set of lamps after the sets of lamps are turned on" (claim 19); "wherein voltage application and non-application to the sets of lamps are repeated in a prescribed cycle so that the set of lamps are dimmed after the sets of lamps are turned on" (claim 20) .

Art Unit: 2828

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yamada, Patent No. 5,418,435; Stam et al., Patent No. 6,049,171.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haissa Philogene whose telephone number is (571) 272-1827. The examiner can normally be reached on 6:30 A.M.-6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MinSun Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hp

Haissa Philogene
Primary Examiner

A.U. 2828
